



# Journal of the Senate

Number 10

Wednesday, April 25, 1984

The Senate was called to order by the President at 10:00 a.m. A quorum present—38:

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Excused: Senators Hair and Kirkpatrick

Prayer by Van Steven Coyle of Tallahassee, student, Gordon Conwell Theological Seminary, Boston:

In the Book of Psalms there is a Prayer of Moses. The last two verses read: "Let thy works appear to thy servants. And thy majesty to their children. And let the favor of the Lord our God be upon us; And do confirm for us the work of our hands; Yes, confirm the works of our hands."

Let us pray. Our Heavenly Father, as we gather this morning we offer you our praise. We praise you because you alone are worthy of our praise. You alone are holy. You alone are loving. You alone are just.

We not only offer our praise, but we give you our thanks. We are thankful, Father, for this great nation and more specifically this State of Florida.

And Father, as these legislators assemble this day, just as Moses prayed long ago; may you, our Father, bring favor to these thy servants. May you anoint and give them wisdom and confirm the works of their hands. In so doing, that which is accomplished here today may not only be fair and equitable for all people, but above all be acceptable in thy sight, and according to your perfect will. Amen.

The Senate pledged allegiance to the flag of the United States of America.

## Votes Recorded

Senator Neal was recorded as voting yea on the following which were considered April 18: Senate Bills 418, 79, 575, 162, 80, 179, HB 23, CS for SB 517, CS for SB 365, CS for HB 262, CS for SB 356 and Senate confirmation of executive appointments

On motion by Senator Hill, the rules were waived by unanimous consent and the Senate reverted to Introduction and Reference of Bills for the purpose of introducing the following resolution out of order:

## INTRODUCTION AND REFERENCE OF BILLS

By Senators Hill, Barron, Beard, Carlucci, Castor, D. Childers, W. D. Childers, Crawford, Deratany, Dunn, Fox, Frank, Gersten, Girardeau, Gordon, Grant, Grizzle, Hair, Henderson, Jenne, Jennings, Johnston, Kirkpatrick, Langley, Malchon, Mann, Margolis, McPherson, Meek, Myers, Neal, Peterson, Plummer, Rehm, Scott, Stuart, Thomas, Thurman, Vogt and Weinstein—

**SR 1104**—A resolution honoring all secretaries in this state for their contributions to education, business, and government.

—which was read the first time by title. On motion by Senator Hill, SR 1104 was read the second time in full and adopted. The vote on adoption was:

Yeas—36

Mr. President	Dunn	Jennings	Neal
Barron	Fox	Johnston	Plummer
Beard	Frank	Langley	Rehm
Carlucci	Girardeau	Malchon	Scott
Castor	Gordon	Mann	Stuart
Childers, D.	Grant	Margolis	Thomas
Childers, W. D.	Grizzle	McPherson	Thurman
Crawford	Henderson	Meek	Vogt
Deratany	Hill	Myers	Weinstein

Nays—None

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Wednesday, April 25, 1984: SB 215, SB 249, SB 324, SB 381, SB 527, SB 528, SB 574, SB 576, SB 577, SB 578, SB 618, SB 658, SB 659, SB 661, SB 714, SB 758, SB 759, SB 815, SB 848, SB 849, SB 871, SB 878

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 25, 1984: SCR 839, CS for SB 61, SB 119, SB 457, SB 730, SB 731, SB 732, SB 580, CS for SB 88, SB 220, SB 309, CS for SB 544, SB 635, SB 723, CS for SB 614, SB 616, SB 609, SB 837, SB 619, SB 743, SB 561, SB 474, SB 451, SB 358, SB 467, SB 299, SB 325, CS for SB 91, SB 115, CS for CS for SB 140, SB 127

Respectfully submitted,  
*Dempsey J. Barron, Chairman*

The Committee on Agriculture recommends the following pass: SB 898 with 2 amendments, HB 265, CS for HB 266

The Committee on Finance, Taxation and Claims recommends the following pass: SB 459, SB 686 with 2 amendments, SB 1019, CS for SB 601

The Committee on Governmental Operations recommends the following pass: SB 799, SB 809 with 1 amendment, SB 896, HB 1039 with 3 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 750

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

The Committee on Agriculture recommends the following pass: SB 719

The Committee on Health and Rehabilitative Services recommends the following pass: SB 582

**The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.**

The Committee on Agriculture recommends the following pass: SB 827

**The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.**

The Committee on Finance, Taxation and Claims recommends the following pass: SB 942 with 1 amendment

**The bill was referred to the Committee on Governmental Operations under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 678 with 2 amendments

**The bill was referred to the Committee on Judiciary-Civil under the original reference.**

The Committee on Judiciary-Criminal recommends the following pass: SB 664

**The bill was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.**

The Committee on Agriculture recommends the following pass: SB 905 with 2 amendments, SB 977 with 1 amendment, HB 348 with 1 amendment, HB 490

The Committee on Governmental Operations recommends the following pass: SB 907 with 2 amendments

The Committee on Judiciary-Criminal recommends the following pass: HB 75, SB 645 with 4 amendments

**The bills contained in the foregoing reports were placed on the calendar.**

The Committee on Agriculture recommends that the Senate confirm the following appointments made by the Governor to the Florida Citrus Commission:

James A. Crocker, Plant City, District One, for term ending May 31, 1986.

John V. D'Albora, Jr., Cocoa, District Five, for term ending May 31, 1986.

Ben Hill Griffin, III, Frostproof, District Seven (grower), for term ending May 31, 1986.

David O. Hamrick, Bradenton, At Large, for term ending May 31, 1986.

Edward L. Smoak, Lake Placid, At Large, for term ending May 31, 1984.

Thomas H. Taylor, Sr., Winter Haven, District Seven (processor), for term ending May 31, 1985.

**The appointments contained in the foregoing reports were referred to the Committee on Executive Business under the original reference.**

#### REQUESTS FOR EXTENSION OF TIME

April 25, 1984

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bills 190, 397, 532, 622, 903, 915

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 533, 775, 844; HB 220

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 771, 773, 779, 785, 798, 800, 825, 826, 832, 833, 836, 845, 873, 884, 895, 906, 916; House Bills 217, 256

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 761, 796, 843, 855, 920; HB 301

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following: Senate Bills 571, 804, 810, 812, 821, 824, 851, 857, 879; HB 134

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 757, 768, 788, 790, 802, 803, 806, 807, 814, 860, 874, 876, 885; HB 365

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following: Senate Bills 227, 481, 769, 787, 887

#### Senator Grant presiding

On motion by Senator McPherson, the following remarks were published in the Journal:

**Senator Henderson:** Somehow, I'm not sure how, word was spread that I would use this forum today to make a public statement about the memorable Easter weekend I had this year. I'm sorry the rumor got started, because the statement I'd like to make this morning isn't *for the public*, it's *for the Senate*.

By now I'm sure that you all know something about the field trip which the D.E.R. put together for members of the Natural Resources Committee last week. Unfortunately for everyone involved in what began as a worthy environmental mission, I had the bad judgement to have a few drinks and shoot off my mouth.

Nobody regrets what I said, and how it was interpreted, more than I do. I'd like to assure Betty, Roberta, Patsy, Mary, Toni, Jeanne, Gwen, Carrie and Karen that in my heart I am *not* a sexist person, and I apologize for giving that impression. I'd like also to assure my good friend, Arnett, and Carrie once again, that in my heart I am not a racist person and I apologize for giving *that* impression as well.

As for the rest of you here on the Senate floor today, you who know me so well, you know that I haven't really left you off this list—I've insulted each and every one of you at one time or another.

I have been consoled by some who reasoned that *everyone* makes comments like what I have been quoted as making, usually without intending any harm. That may be so, but it's no excuse, especially for making such comments in public. And I guess that *this* is the fatal error I have made here. I have overlooked the fact that *everything* we do here is *very, very* public.

Let me tell you how it is that I could make such an oversight. When I first became a member of the Florida Senate, Karen Thurman was 13 years old. The Senate worked in the little building just east of here, we only met every other year, and our public address system consisted of Leroy Adkison bellowing "Roll Call" up and down the halls.

A lot has changed since then, and some of the most important changes aren't visible or tangible. My son, the family social scientist, has often cautioned me to be careful about my comments and my behavior, for fear of misinterpretation. I've told him that anyone who knows me will know what I mean, and he's told me that you don't always get the chance to explain what you mean. It looks like he was right.

I've gone to great lengths to explain, long after the damage was done, the remarks I made on that field trip, and how much I regret what was said. I just want you to know what I *didn't* mean.

I *didn't* mean to hurt or insult anyone, either as a person or as a group. I didn't mean to diminish the vital importance of environmental protection by appearing to take this field trip so lightly. And most of all, let me assure you that I *didn't* mean to show the Florida Senate or the Senators with whom it has been among my greatest pleasures in life to serve, anything other than the enormous love and respect and devotion that I feel for the institution and the people. I want to thank each of you for your friendship and your support.

They mean the world to me.

**Senator Mann:** Mr. President, Senators, fellow Floridians, and members of the press:

Events of the past week relating to a field trip by the Senate Committee on Natural Resources have been portrayed quite thoroughly by the media, including the last sad chapter announcing the retirement of a member of this body with 21 years of distinguished service.

I will make a statement about that day, and no other henceforth.

Certain of the accounts were inaccurate and justice requires they be set straight. As a participant on that field trip, and being within seated or speaking distance from Senator Henderson the entire afternoon, I am in a position to know precisely what happened, what was said, and what was *not* said, and the context within which all events occurred.

Since nearly all attributable quotes to Senator Henderson were accounts while riding in the van, it is important to know the context.

Any racial slurs, and sexual slurs, any offensive remarks made by the Senator had to have been made while he was in fact seated directly beside my wife and one seat directly in front of another senator's wife. Warren Henderson simply would not have deliberately uttered such grossly offensive terms and meant them as offensive, within those close confines. No person would have.

Yes, there was off-color language; yes, some of it came from Warren. But to term any of it as "slurs" could only have been possible by taking the conversation completely and utterly out of context, then printing such terms alone, with sensational focus, in order to (and I'll use a sensational term) "juice up" a story. Let me share some absolutely inaccurate statements. Under an Associated Press byline — "several men had ducked behind trees for bathroom stops. . ." This was written five days after the trip by a reporter who did not even attend the outing.

No one ducked behind any trees for any purpose other than to determine whether or not lichen were present on the trunk or to see if the swollen buttresses would indicate a relatively constant presence of water. The quote is a deliberate fabrication or figment of a sensationalizing reporter's mind.

One quote attributed to me in the Miami Herald was "You (press people) sons a bitches have sunk to a new low."

I did not use the term "sons a bitches", although I must admit it crossed my mind. The reporter to whom the comment was directed can confirm my statement.

The saddest, most damaging and fatal misquote was the one oft quoted "someone commented on having seen an alligator with a 'black ugly face'". Henderson replied 'Girardeau's not here.'

I believe that statement, or one similar to it was in fact made. Warren Henderson, however, did not make it! For the press now to embark on a witchhunt to find the guilty party would serve no useful purpose. I hope they do not. The fact is that Warren Henderson did not say it!

That last fatal misquote leads me to a point I am compelled to make, one that must be made, if there is any justice left in this world.

For those of you familiar with the New Testament, you know the verse "Greater love hath no man, than he lay down his life for a friend."

Warren Henderson knows he did not make that awful statement, and I believe he does know who did. But Warren Henderson, the man, the senator, the "friend" would never, never say who did.

Because of my own frequent brand of outrageous humor, I was once said to be "The Poor Man's Warren Henderson." I took that to be a great compliment. I shared that raucous humor with Warren that afternoon, and probably egged him on. And yes, as we were concluding the afternoon, I sinfully consumed a beer.

And in all the trials and pressures of this last horrible weekend, Warren never once looked to share his embarrassment with anyone, or in any way spread the blame.

If Warren Henderson is guilty, then I am guilty. If Warren Henderson is guilty, then for all our occasional indiscretions, we are all guilty.

Warren Henderson laid down his career for his friends.

To compare Warren Henderson to Jesus Christ is indeed stretching things. If I know anything about this friend of mine over a decade—a Jesus he ain't.

But to condemn this man for being himself, or to condemn this man for being so completely and unselfishly honest, or to condemn this man for making people around him—black and white, male and female—laugh—often at themselves—is unfair, and it is wrong.

This Senate needs Warren Henderson.

This world needs thousands of Warren Hendersons.

We will miss the smiles and the love Warren Henderson so freely shared.

And so, Warren, to you and Polly, and I know I speak for every person in this chamber, we love you.

## The President presiding

### MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Margolis, by two-thirds vote Senate Bills 395, 1043 and 110 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Beard, by two-thirds vote SB 721 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Langley, by two-thirds vote SB 671 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Stuart, by two-thirds vote Senate Bills 630 and 811 were withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Vogt, by two-thirds vote SB 927 was withdrawn from the committees of reference and indefinitely postponed.

On motions by Senator Myers, by two-thirds vote SB 24 and SJR 25 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Johnston, by two-thirds vote CS for SB 11 was removed from the calendar and referred to the Committee on Appropriations.

On motions by Senator Johnston, the rules were waived and by two-thirds vote Senate Bills 126, 194, 311, 361, 503, 629, 647, CS for SB's 144 and 184, CS for SB 251 and CS for SB 595 were withdrawn from the Committee on Appropriations.

### MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 252 which became law on April 19.

The following Executive Order was filed with the Secretary:

#### EXECUTIVE ORDER NUMBER 84-90

(Executive Order of Suspension)

WHEREAS, STEVE W. SPRADLEY is presently serving as the duly elected Sheriff of Columbia County, Florida, and

WHEREAS, on April 18, 1984, the Grand Jury for Columbia County, Florida, returned an indictment charging STEVE W. SPRADLEY with one count of racketeering, two counts of perjury and two counts of delivery of cannabis, and

WHEREAS, it is in the best interest of the citizens of the State of Florida that STEVE W. SPRADLEY be suspended from the public office that he now holds, upon the constitutional grounds hereinafter set forth;

NOW, THEREFORE, I, BOB GRAHAM, Governor of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. STEVE W. SPRADLEY is, and at all times material hereto was, the duly elected Sheriff of Columbia County, Florida, pursuant to Article VIII, Section 1, Florida Constitution.

B. The office of Sheriff is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictment alleges that STEVE W. SPRADLEY did commit acts in violation of Florida law, and these allegations are hereby incorporated by reference as if fully set forth in this Executive Order.

D. The facts alleged herein constitute the offenses of malfeasance, misfeasance, neglect of duty, incompetence, and/or commission of a felony as such offenses are used in Article IV, Section 7, Florida Constitution.

E. The interest of the residents of Columbia County, Florida, and the citizens of the State of Florida can best be served by the immediate suspension of STEVE W. SPRADLEY from the public office which he now holds.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

*Section 1.*

STEVE W. SPRADLEY is hereby suspended from the public office which he now holds, to-wit: Sheriff of Columbia County, Florida.

*Section 2.*

STEVE W. SPRADLEY is hereby prohibited from performing any official act, duty, or function of public office, from receiving any pay or allowance, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 18th day of April, 1984.

Bob Graham  
GOVERNOR

ATTEST:  
George Firestone  
SECRETARY OF STATE

**[Referred to the Committee on Executive Business.]**

(Copy of indictment was filed in the office of the Secretary of the Senate.)

**Appointments Subject to Confirmation by the Senate:**

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Greater Orlando Aviation Authority, Members	
Chapin, Linda W., Winter Park	4/16/88
Dantzler, Sherman S., Orlando	4/16/88
Potter, Charles M., Orlando	4/16/88
Board of Cosmetology, Member	
Ragan, Jeff D., Bradenton	1/1/88
Information Resource Commission, Executive Administrator	
Hale, Mike, Tallahassee	Pleasure of Commission
Investment Advisory Council, Member	
Crum, Gary R., Ft. Lauderdale	12/12/85
Board of Osteopathic Medical Examiners, Member	
Barroso, Luis F., Winter Park	1/29/88
Historic Tampa/Hillsborough County Preservation Board of Trustees, Members	
DiMaio, Victor Emmanuele, Tampa	11/1/86
Rollyson, Nancy Moody, Plant City	11/1/87
Public Employees Relations Commission, Chairman	
Renovitch, Patricia A., Tallahassee	1/1/86
West Florida Regional Planning Council, Region One, Member	
Page, Wiley C., Sr., Pensacola	10/1/86
Apalachee Regional Planning Council, Region Two, Member	
Ringer, Robert E., Marianna	10/1/86
Board of Trustees, John and Mable Ringling Museum of Art, Member	
Stefany, John E., Tampa	11/5/87

**[Referred to the Committee on Executive Business.]**

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed SB 72 and SB 229.

*Allen Morris, Clerk*

The bills contained in the foregoing message were ordered enrolled.

**LOCAL CALENDAR**

On motion by Senator Girardeau, by two-thirds vote HB 190 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Girardeau—

**HB 190**—A bill to be entitled An act relating to St. Johns County; amending chapter 61-2750, Laws of Florida, changing the maximum allowable term of lease of courthouse space to private persons and entities from 5 years to 10 years; providing an effective date.

—a companion measure, was substituted for SB 215 and read the second time by title. On motion by Senator Girardeau, by two-thirds vote HB 190 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 215 was laid on the table.

On motion by Senator Dunn, by two-thirds vote HB 264 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Dunn—

**HB 264**—A bill to be entitled An act relating to Volusia County; amending ss. 2, 3, 4, and 5, chapter 69-1707, Laws of Florida; providing for the qualification and election of the Deltona Fire District Board of Commissioners; providing for annual election of commission officers; providing for performance bonds for commissioners; providing for filling vacancies on the board; providing for the liberal construction of this act and of chapters 69-1707, 73-646, 83-532, and 83-533, Laws of Florida; providing for severability; providing an effective date.

—a companion measure, was substituted for SB 249 and read the second time by title. On motion by Senator Dunn, by two-thirds vote HB 264 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 249 was laid on the table.

On motion by Senator Castor, by two-thirds vote HB 378 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Castor—

**HB 378**—A bill to be entitled An act relating to Pasco County; providing for legislative intent; providing uniform filing dates for municipal elections; providing uniform election dates for municipal elections; providing for conduct of municipal elections in Pasco County by the Pasco County Supervisor of Elections; providing for reimbursement of cost; providing that the candidate with the highest number of votes shall be the winner and take office within 30 days after the election; providing for terms of office; providing for correspondence of terms of municipal office to the common dates provided in this act; providing canvassing of municipal elections by the county canvassing board; providing for special elections; providing that the general law for absentee ballots shall apply to all absentee ballots in municipal elections; providing an effective date.

—a companion measure, was substituted for SB 324 and read the second time by title. On motion by Senator Castor, by two-thirds vote HB 378 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 324 was laid on the table.

On motion by Senator Crawford, by two-thirds vote HB 575 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Crawford—

**HB 575**—A bill to be entitled An act relating to the Winter Haven Lake Region Boat Course District; amending s. 1, chapter 8378, Laws of Florida, 1919; providing that one of the district purposes shall be to maintain good water quality in lakes and canals in conjunction with other agencies; amending s. 7, chapter 8378, Laws of Florida, 1919, as amended; authorizing the maintenance and beautification of lakes within the district; authorizing legal action to protect the water quality of lakes within or adjacent to the boundaries of the district; authorizing the construction and maintenance of works necessary to maintain and protect said lakes; amending s. 21, chapter 8378, Laws of Florida, 1919; providing for a fine or imprisonment or both for wilful damage to the quality of lake water by unauthorized dumping or discharging or allowing the discharge of any substance that would lower the quality of lake water or damage plant life therein; providing an effective date.

—a companion measure, was substituted for SB 381 and read the second time by title. On motion by Senator Crawford, by two-thirds vote HB 575 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 381 was laid on the table.

On motions by Senator Rehm, by two-thirds vote HB 906 was withdrawn from the Committees on Commerce and Rules and Calendar.

On motion by Senator Rehm—

**HB 906**—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; authorizing the Department of Business Regulation to issue an alcoholic beverage license to P.A.C.T., Inc. (the Performing Arts Center and Theater); providing that such license shall not be subject to a quota or limitation; providing an effective date.

—a companion measure, was substituted for SB 527 and read the second time by title. On motion by Senator Rehm, by two-thirds vote HB 906 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 527 was laid on the table.

**SB 528**—A bill to be entitled An act relating to Pinellas County; amending section 4 of chapter 29438, Laws of Florida, 1953, as amended, providing for changes in assessment rates for the Indian Rocks Special Fire Control District and modifying time limits for filing of protests to assessments; adding a new section 6-A to chapter 29438, Laws of Florida, providing procedure for utilization of ad valorem method of collection for special assessments levied by the Indian Rocks Special Fire Control District; providing an effective date.

—was read the second time by title. On motion by Senator Grizzle, by two-thirds vote SB 528 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

**SB 574**—A bill to be entitled An act relating to Hillsborough County; amending ss. 3, 4, 5, and 19 of chapter 82-305, Laws of Florida, relating to the Twelve Oaks Special District; eliminating provisions which specify appointment procedures for the initial board of trustees; providing for staggered terms for trustees; providing that certain trustees be bonded by a corporate surety authorized to do business in Florida; changing certain election dates; providing for payment of certain election costs; prescribing qualifying periods for candidates; providing for indemnification of trustees under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote SB 574 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Deratany	Grant	Langley
Beard	Dunn	Grizzle	Malchon
Carlucci	Fox	Henderson	Mann
Castor	Frank	Hill	Margolis
Childers, D.	Gersten	Jenne	McPherson
Childers, W. D.	Girardeau	Jennings	Meek
Crawford	Gordon	Johnston	Myers

Neal	Scott	Thurman
Plummer	Stuart	Vogt
Rehm	Thomas	Weinstein

Nays—None

**SB 576**—A bill to be entitled An act relating to the Hillsborough County Hospital Authority; amending section 14 of chapter 80-510, Laws of Florida; providing for Hillsborough County residents' use of certain facilities; providing for the Public Assistance Department of Hillsborough County to reimburse the board for certain costs of indigent care; providing for use of state approved Medicaid rates plus a standard adjustment considering actual cost, which shall be negotiated at least once annually; providing that the reimbursement rate and eligibility criteria shall be reviewed and approved at least once annually by the county commissioners; providing that the board may allow nonresidents of Hillsborough County to use certain facilities; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 576 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

On motion by Senator Langley, by two-thirds vote HB 665 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Langley—

**HB 665**—A bill to be entitled An act relating to Seminole County; amending section 19 of chapter 65-2274, Laws of Florida, known as the Seminole County Planning and Zoning Act; reducing the time to apply to the board of county commissioners from 30 to 15 days for persons aggrieved by any decision of the board of adjustment, or any officer, department, board or bureau of Seminole County; deleting the option to apply to the courts for relief; providing for appeals before the board of county commissioners to be de novo; providing an effective date.

—a companion measure, was substituted for SB 577 and read the second time by title. On motion by Senator Langley, by two-thirds vote HB 665 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 577 was laid on the table.

**SB 578**—A bill to be entitled An act relating to the enforcement of the Seminole County Animal Control Ordinance; providing for the issuance of citations requiring compliance with the Animal Control Ordinance; allowing specific penalties for the violation thereof; authorizing enactment of ordinance-establishing procedures to implement this act; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Langley, by two-thirds vote SB 578 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

**SB 618**—A bill to be entitled An act relating to the Halifax Hospital Medical Center, Volusia County; amending ss. 2(1), 3, 5, 7, 8(1), (6), 10, 13, chapter 79-577, Laws of Florida; providing for staggered terms of members of the Board of Commissioners; authorizing the district to establish wholly owned subsidiary corporations; authorizing the district to enter both capital and operating leases; authorizing the district to accept promissory notes and voluntary liens; authorizing the board to grant or deny medical staff privileges; authorizing the establishment of certain health care related facilities; authorizing the district to borrow money for a period of up to 3 years; providing for referendums for certain bond issues; providing for negotiated or public sale of bonds; providing for identification of and segregation of ad valorem tax revenues; providing for accounting records for public funds; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendments which were adopted:

**Amendment 1**—On page 4, lines 21 and 22, strike "ad valorem" and insert: *ad-valorem full faith and credit*

**Amendment 2**—On page 6, line 28, strike "subsidiary corporation's" and insert: *corporation's*

**Amendment 3**—On page 6, line 26, strike "subsidiary corporation established" and insert: *corporation established and controlled*

**Amendment 4**—On page 4, line 29, strike "issue question" and insert: *question*

**Amendment 5**—On page 3, lines 21 and 23, strike "related"

**Amendment 6**—On page 2, line 30, strike "mortgage,"

**Amendment 7**—On page 2, lines 28 and 29, strike "to form subsidiary corporations" and insert: *to establish corporations pursuant to chapter 617, Florida Statutes, and under the control of the district,*

**Amendment 8**—On page 3, lines 14 and 15, strike "rules, regulations, supervision and enforcement of the Department of" and insert: *rules of the Department of*

**Amendment 9**—On page 4, strike all of lines 13-20 and insert:

Section 8. (1) The district may, by resolution of the board, authorize the issuance of bonds for the purposes set forth in *this act section 5*, and for the *acquisition and development of real property, including appurtenances, fixtures and equipment, and for major repairs or renovations to real property which significantly extend its useful life or change its function, and for any necessary operating capital outlay to furnish and operate a new or improved facility improvement, furnishing and enlargement of hospitals, medical facilities, clinics, and out-patient facilities for the construction of additions thereto.* The bonds may

**Amendment 10**—On page 4, line 31, strike "authority of the bond provisions of"

**Amendment 11**—In title, on page 1, lines 7 and 8, strike "wholly owned subsidiary corporations" and insert: *corporations under control of the district*

**Amendment 12**—In title, on page 1, line 14, strike "related"

On motion by Senator Dunn, by two-thirds vote SB 618 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

On motion by Senator Henderson, by two-thirds vote HB 641 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Henderson—

**HB 641**—A bill to be entitled An act relating to Sarasota County; amending Chapters 81-488 and 81-489, Laws of Florida, deleting certain lands from the Fruitville Area Fire Control District and adding such lands to the Northeast Fire District; providing for the pro-rata division of assessments collected on said lands between the two fire districts; providing that unpaid assessments for the current year on the subject lands shall become a lien in favor of the Northeast Fire District; directing the County tax collector to pay over collections on such assessments after the effective date of this act to the Northeast Fire District; requiring Northeast Fire District to pay over to Fruitville Area Fire Control District the pro-rata share of Fruitville Area Fire Control District's share of such collections; requiring the Fruitville Area Fire Control District to pay over to the Northeast Fire District all impact fees collected for construction in the area after a specified date; providing a time period in which such payments must be made; providing that certain lands heretofore incorporated in both districts are properly part of Northeast Fire District; ratifying previous actions treating lands as part of Northeast Fire District; providing an effective date.

—a companion measure, was substituted for SB 658 and read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 641 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 658 was laid on the table.

On motion by Senator Vogt, by two-thirds vote HB 939 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Vogt—

**HB 939**—A bill to be entitled An act relating to Brevard County; amending section 2 of article I of chapter 28922, Laws of Florida, 1953, to delete certain areas from the Canaveral Port District in Brevard County; providing an effective date.

—a companion measure, was substituted for SB 659 and read the second time by title. On motion by Senator Vogt, by two-thirds vote HB 939 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Castor	Crawford	Fox
Beard	Childers, D.	Deratany	Frank
Carlucci	Childers, W. D.	Dunn	Gersten

Girardeau	Jennings	Meek	Thomas
Gordon	Johnston	Myers	Thurman
Grant	Langley	Neal	Vogt
Grizzle	Malchon	Plummer	Weinstein
Henderson	Mann	Rehm	
Hill	Margolis	Scott	
Jenne	McPherson	Stuart	

Nays—None

SB 659 was laid on the table.

Consideration of SB 661 was deferred.

On motion by Senator Grizzle, by two-thirds vote HB 904 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Grizzle—

**HB 904**—A bill to be entitled An act relating to Pinellas County; authorizing a personnel system for deputies, employees, and members of the Sheriff's Department of Pinellas County; authorizing a personnel board; providing for said board's powers, duties, qualifications, and compensation; providing for a classified service and for the classification of members of the classified service; providing for hearings; authorizing expenditures of and for the board; providing for appointments, rules, policies, pay plans, rights and benefits; providing an effective date.

—a companion measure, was substituted for SB 714 and read the second time by title. On motion by Senator Grizzle, by two-thirds vote HB 904 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 714 was laid on the table.

**SB 758**—A bill to be entitled An act relating to Pinellas County; amending chapter 61-2661, Laws of Florida, as amended, relating to the establishment of the Palm Harbor Special Fire Control District; deleting the setting of compensation of members of the board of commissioners of the district by resolution of the board; providing for election of commissioners by numbered seats; clarifying provisions relating to the preparation of an assessment and collection roll and to the collection of assessments pursuant thereto; providing for the expansion of the loan authority for the district; providing for the expansion of purchasing power of the district; providing an effective date.

—was read the second time by title. On motion by Senator Rehm, by two-thirds vote SB 758 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

**SB 759**—A bill to be entitled An act relating to Pinellas County; amending s. 5 and repealing ss. 6-9 of chapter 61-2661, Laws of Florida, as amended, relating to the Palm Harbor Special Fire Control District;



changing the taxing authority of the district from special assessments to ad valorem taxation not to exceed two mills; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Rehm, by two-thirds vote SB 759 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

**SB 815**—A bill to be entitled An act relating to the City of Key West; amending section 13 of chapter 69-1191, Laws of Florida, increasing the amount above which public bidding is required for construction, reconstruction, repairs, or work of any nature contracted by the Utility Board of the City of Key West; increasing the amount above which public bidding is required for the purchasing of supplies, equipment, machinery, or materials, by excepting the purchase of insurance from the public bidding requirements of said act; providing that the public bidding requirements of said act shall not be required when an emergency situation is declared to exist by a vote of the Utility Board of the City of Key West; providing that all laws, whether general or special, in conflict herewith are superseded; providing an effective date.

—was read the second time by title. On motion by Senator Plummer, by two-thirds vote SB 815 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

**SB 848**—A bill to be entitled An act relating to Baker County; amending section 10 of chapter 57-1338, Laws of Florida, as amended, increasing the terms of office of councilmen of the town of Glen Saint Mary; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 848 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

Consideration of SB 849 was deferred.

On motion by Senator Malchon, by two-thirds vote HB 907 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Malchon—

**HB 907**—A bill to be entitled An act relating to Greater Seminole Area Special Recreation District in Pinellas County; amending chapter 80-584, Laws of Florida, increasing the boundaries of the district; providing for a referendum; providing an effective date.

—a companion measure, was substituted for SB 871 and read the second time by title. On motion by Senator Malchon, by two-thirds vote HB 907 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

SB 871 was laid on the table.

**SB 878**—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority, Palm Beach County; amending section 8 of chapter 72-592, Laws of Florida, as amended, providing for ad valorem taxation and increasing the tax rate from 1 mill on each dollar of tax base to 2 mills on each dollar of tax base to commence the fiscal year beginning October 1, 1984, following approval by referendum; repealing section 11(c) of chapter 72-592, Laws of Florida; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote SB 878 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

## SPECIAL ORDER

On motion by Senator Frank, the rules were waived and the Senate reverted to—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has adopted HCR 1207 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Lippman and Moffitt—

**HCR 1207**—A concurrent resolution calling for continued legislative interest in organ and tissue donation and support for work and publicity related to that purpose.

—was read the first time in full. On motions by Senator Frank, by two-thirds vote the bill was placed on the special order calendar.



## SPECIAL ORDER, continued

On motions by Senator Castor, by two-thirds vote HCR 1207, a companion measure, was substituted for SCR 839 and by two-thirds vote read the second time by title, adopted and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Scott
Beard	Gersten	Langley	Stuart
Carlucci	Girardeau	Malchon	Thomas
Castor	Gordon	Mann	Thurman
Childers, D.	Grant	Margolis	Vogt
Childers, W. D.	Grizzle	McPherson	Weinstein
Crawford	Henderson	Meek	
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Nays—None

Vote after roll call:

Yea—Rehm

SCR 839 was laid on the table.

**CS for SB 61**—A bill to be entitled An act relating to financial accounts and expenditures; amending s. 237.151, F.S., authorizing school boards to negotiate a loan prior to the end of the fiscal year, to be repaid during the subsequent fiscal year from the proceeds of revenue reasonably anticipated to be received from such subsequent year; requiring negotiation in accordance with a budget; providing for the disposition of the proceeds of such loans; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 20, strike “(1) *INSUFFICIENT FUNDS.*—” and insert: *Except as provided in subsection (4);* on page 2, line 6, between “loan” and the period (.), insert: *and be in accord with the other provisions of this section;* on page 2, line 7, strike “(2)(1)” and insert: (1); on page 2, line 23, strike “(3)(2)” and insert: (2); on page 2, line 24, strike “(2)(1)” and insert: (1); on page 2, line 29, strike “(4)(3)” and insert: (3); and on page 3, line 25, strike “(5)” and insert: (4)

**Amendment 2**—On page 5, line 1, strike “July 1, 1984” and insert: upon becoming a law

On motion by Senator Margolis, by two-thirds vote CS for SB 61 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Nays—None

**SB 119**—A bill to be entitled An act relating to property taxes; amending s. 196.031, F.S.; deleting the requirement that on property owned by more than one owner the homestead exemption be reduced in proportion to the number of owners who are not permanent residents of the state; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 119 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dunn	Hill	Meek
Barron	Fox	Jenne	Myers
Beard	Frank	Jennings	Neal
Carlucci	Gersten	Johnston	Plummer
Castor	Girardeau	Langley	Stuart
Childers, D.	Gordon	Malchon	Thomas
Childers, W. D.	Grant	Mann	Thurman
Crawford	Grizzle	Margolis	Vogt
Deratany	Henderson	McPherson	Weinstein

Nays—None

Vote after roll call:

Yea—Rehm, Scott

Yea to Nay—Thurman

On motion by Senator Scott, the rules were waived and SB 119 was ordered immediately certified to the House.

## Senator Langley presiding

On motion by Senator Johnston, the rules were waived and by two-thirds vote CS for HB 61 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Johnston—

**CS for HB 61**—A bill to be entitled An act relating to probate; amending s. 733.705, F.S., relating to objections to claims filed against an estate; providing an effective date.

—a companion measure, was substituted for SB 457 and read the second time by title. On motion by Senator Johnston, by two-thirds vote CS for HB 61 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Barron	Gersten	Johnston	Plummer
Carlucci	Girardeau	Langley	Rehm
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thomas
Crawford	Henderson	McPherson	Thurman
Deratany	Hill	Meek	Vogt
Fox	Jenne	Myers	Weinstein
Frank	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Beard

SB 457 was laid on the table.

**SB 730**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.12, F.S.; authorizing the Department of Revenue to statistically sample a dealer's records and to project any tax deficiency from such sample without a written agreement with the dealer in certain circumstances; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendment which was adopted:

**Amendment 1**—On page 2, lines 6-31, and on page 3, lines 1-18, strike all of said lines and insert:

(b) For the purpose of this subsection, if a dealer does not have adequate records of his retail sales, the department may, upon the basis of a test or sampling of the dealer's available records or other information relating to the sales made by such dealer, for a representative period, determine the proportion that taxable retail sales bear to total retail sales. This subsection does not affect the duty of the dealer to collect, or the liability of any consumer to pay, any tax imposed by or pursuant to this chapter.

(c) If the records of a dealer are adequate but voluminous in nature and substance, the department may statistically sample such records and project the audit findings derived therefrom over the entire audit period

to determine the proportion that taxable retail sales bear to total retail sales. In order to conduct such a sample, the department must first make a good faith effort to reach an agreement with the dealer providing for the means and methods to be used in the sampling process. In the event that no agreement is reached, the dealer is entitled to a review by the executive director. ~~provided, the dealer and the department have entered into an agreement which provides for the use of statistical sampling and projections and the means and methods to be used. The agreement shall be binding on the dealer and the department.~~

On motion by Senator Margolis, by two-thirds vote SB 730 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Carlucci	Gersten	Langley	Rehm
Castor	Gordon	Malchon	Scott
Childers, D.	Grizzle	Mann	Stuart
Crawford	Henderson	Margolis	Thomas
Deratany	Hill	McPherson	Thurman
Dunn	Jenne	Myers	Vogt
Fox	Jennings	Neal	Weinstein
Frank	Johnston	Plummer	

Nays—None

Vote after roll call:

Yea—W. D. Childers, Girardeau

**SB 731**—A bill to be entitled An act relating to local option motor fuel and special fuel taxes; amending s. 336.025, F.S.; establishing a specific date and the manner by which counties shall notify the Department of Revenue of the imposition and distribution of such taxes; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote SB 731 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Barron	Frank	Johnston	Scott
Beard	Gersten	Malchon	Stuart
Carlucci	Gordon	Mann	Thomas
Castor	Grant	Margolis	Thurman
Childers, D.	Grizzle	McPherson	Vogt
Childers, W. D.	Henderson	Myers	Weinstein
Deratany	Hill	Neal	
Dunn	Jenne	Plummer	
Fox	Jennings	Rehm	

Nays—None

Vote after roll call:

Yea—Girardeau, Langley

**SB 732**—A bill to be entitled An act relating to estate taxes; amending ss. 198.13, 198.15, F.S.; conforming the date for filing the Florida estate tax return and for paying such estate tax to coincide with the date for filing the federal estate tax return and for paying such federal estate tax; amending s. 213.21, F.S.; authorizing the executive director of the Department of Revenue to compromise and settle estate taxes; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Margolis and adopted:

**Amendment 1**—On page 2, line 26, before "For" insert: *Notwithstanding the provisions of subsection (2),*

On motion by Senator Margolis, by two-thirds vote SB 732 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Barron	Fox	Jennings	Plummer
Beard	Frank	Johnston	Rehm
Carlucci	Gersten	Langley	Scott
Castor	Gordon	Malchon	Stuart
Childers, D.	Grant	Mann	Thomas
Childers, W. D.	Grizzle	Margolis	Thurman
Crawford	Henderson	McPherson	Vogt
Deratany	Hill	Myers	Weinstein
Dunn	Jenne	Neal	

Nays—None

Vote after roll call:

Yea—Girardeau

**SB 580**—A bill to be entitled An act relating to alcoholic beverages; creating s. 561.491, F.S.; providing for imposition of beverage excise taxes on sales to military establishments; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Margolis and adopted:

**Amendment 1**—On page 1, strike all of lines 12-22 and insert:

561.491 Taxation on military sales.—It is the intent of the Legislature that the excise taxes imposed in the beverage law be imposed with respect to sales to military establishments located in Florida, including non-appropriated fund instrumentalities under the jurisdiction of the military. However, if under federal law it is illegal for the State of Florida to collect excise taxes upon sales to such establishments by persons located outside the state, such tax imposition as otherwise provided in the beverage law shall not exist with respect to military sales by distributors licensed under the beverage law.

On motion by Senator Margolis, by two-thirds vote SB 580 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Barron	Fox	Jennings	Neal
Beard	Frank	Johnston	Plummer
Carlucci	Gersten	Langley	Rehm
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thomas
Crawford	Henderson	McPherson	Thurman
Deratany	Hill	Meek	Vogt
Dunn	Jenne	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Girardeau

On motion by Senator McPherson, the rules were waived and the Senate reverted to—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 246 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Regulated Industries and Licensing and Representative Ward—

**CS for HB 246**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.35, F.S.; prohibiting transmission of certain information relating to jai alai contests; authorizing certain transmission and reception of broadcasts of horseraces, dograces, and jai alai contests by licensees; permitting wagering on broadcast events; providing related requirements and restrictions; providing relationship to other laws, rules

and orders; amending s. 895.02, F.S.; revising definitions of "racketeering activity" and "unlawful debt" under the RICO Act to conform; providing an effective date.

—was read the first time by title. On motions by Senator McPherson, the rules were waived and by two-thirds vote the bill was placed on the special order calendar.

#### SPECIAL ORDER, continued

On motions by Senator McPherson, by two-thirds vote CS for HB 246, a companion measure, was substituted for CS for SB 88 and by two-thirds vote read the second time by title. On motion by Senator McPherson, by two-thirds vote CS for HB 246 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Barron	Frank	Jennings	Rehm
Beard	Gersten	Johnston	Scott
Castor	Girardeau	Malchon	Stuart
Childers, D.	Gordon	Mann	Thomas
Childers, W. D.	Grant	Margolis	Thurman
Crawford	Grizzle	McPherson	Vogt
Deratany	Henderson	Myers	Weinstein
Dunn	Hill	Neal	
Fox	Jenne	Plummer	

Nays—1

Carlucci

Vote after roll call:

Yea—Langley

CS for SB 88 was laid on the table.

On motion by Senator McPherson, the rules were waived and CS for HB 246 was ordered immediately certified to the House.

**SB 220**—A bill to be entitled An act relating to postsecondary education; creating s. 240.138, F.S.; requiring community colleges and universities to report foreign donations that exceed a specified amount during a single fiscal year; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendments which were moved by Senator Gordon and adopted:

**Amendment 1**—On page 2, between lines 9 and 10, insert:

(3) The State Board of Education shall adopt rules required for the enforcement of this act. The state board may enforce the provisions of this act by bringing an action in the circuit court having jurisdiction. Public community colleges or state universities failing to report any grant or contract, pursuant to the provisions of this section, shall be fined an amount equal to five percent of the gift or contract not reported.

**Amendment 2**—In title, on page 1, line 6, after the semicolon (;) insert: providing for enforcement by the State Board of Education;

On motion by Senator Gordon, by two-thirds vote SB 220 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Barron	Fox	Jennings	Scott
Beard	Frank	Johnston	Stuart
Carlucci	Girardeau	Langley	Thomas
Castor	Gordon	Malchon	Thurman
Childers, D.	Grant	Mann	Vogt
Childers, W. D.	Grizzle	Margolis	Weinstein
Crawford	Henderson	Myers	
Deratany	Hill	Neal	
Dunn	Jenne	Plummer	

Nays—None

Vote after roll call:

Yea—Gersten, McPherson, Rehm

Consideration of SB 309 was deferred.

**CS for SB 544**—A bill to be entitled An act relating to education; amending s. 231.17, F.S.; providing for the issuance of teaching certificates for certain noncitizens; providing an effective date.

—was read the second time by title. On motion by Senator Fox, by two-thirds vote CS for SB 544 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Barron	Fox	Jenne	Neal
Beard	Frank	Jennings	Plummer
Carlucci	Gersten	Johnston	Rehm
Castor	Girardeau	Langley	Scott
Childers, D.	Gordon	Malchon	Stuart
Childers, W. D.	Grant	Mann	Thomas
Crawford	Grizzle	Margolis	Thurman
Deratany	Henderson	Meek	Vogt
Dunn	Hill	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—McPherson

**SB 635**—A bill to be entitled An act relating to school personnel; amending s. 232.277, F.S., to require school personnel to report suspected unlawful use, possession, or sale of any controlled substance, counterfeit controlled substance, or alcoholic beverage by students; providing an effective date.

—was read the second time by title.

Senator Vogt moved the following amendment which was adopted:

**Amendment 1**—On page 1, line 16, strike "*proper school authority*" and insert: *principal, assistant principal, counselor, or school social worker*

On motion by Senator Vogt, by two-thirds vote SB 635 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Barron	Fox	Jenne	Neal
Beard	Frank	Jennings	Plummer
Carlucci	Gersten	Johnston	Rehm
Castor	Girardeau	Langley	Scott
Childers, D.	Gordon	Malchon	Stuart
Childers, W. D.	Grant	Mann	Thomas
Crawford	Grizzle	Margolis	Thurman
Deratany	Henderson	McPherson	Vogt
Dunn	Hill	Myers	Weinstein

Nays—None

Consideration of SB 723 was deferred.

On motion by Senator Thomas, the rules were waived and the Senate reverted to—

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Curtis Peterson, President*

I am directed to inform the Senate that the House of Representatives has passed CS for HB 693 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Agriculture and Representative B. L. Johnson and others—

**CS for HB 693**—A bill to be entitled An act relating to grain dealers; creating ss. 604.31-604.34, F.S.; requiring grain dealers to issue delivery tickets to producers; requiring such dealers to maintain liquid security in a specified amount; requiring payment to producers within a specified time; providing an effective date.

—was read the first time by title. On motions by Senator Thomas, the rules were waived and by two-thirds vote the bill was placed on the special order calendar.

**SPECIAL ORDER, continued**

On motions by Senator Thomas, by two-thirds vote CS for HB 693, a companion measure, was substituted for CS for SB 614 and by two-thirds vote read the second time by title. On motion by Senator Thomas, by two-thirds vote CS for HB 693 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Barron	Frank	Jennings	Rehm
Beard	Gersten	Johnston	Scott
Carlucci	Girardeau	Langley	Stuart
Castor	Gordon	Malchon	Thomas
Childers, D.	Grant	Mann	Thurman
Childers, W. D.	Grizzle	Meek	Vogt
Deratany	Henderson	Myers	Weinstein
Dunn	Hill	Neal	
Fox	Jenne	Plummer	

Nays—None

Vote after roll call:

Yea—McPherson

CS for SB 614 was laid on the table.

**SB 616**—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S., modifying the definition of employment as it applies to agricultural service to conform state law to federal law postponing coverage of alien agricultural workers; providing for retroactive application; providing an effective date.

—was read the second time by title. On motion by Senator Grant, by two-thirds vote SB 616 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Barron	Frank	Jennings	Rehm
Beard	Gersten	Johnston	Stuart
Carlucci	Girardeau	Malchon	Thomas
Castor	Gordon	Mann	Thurman
Childers, D.	Grant	Margolis	Vogt
Childers, W. D.	Grizzle	Meek	Weinstein
Deratany	Henderson	Myers	
Dunn	Hill	Neal	
Fox	Jenne	Plummer	

Nays—None

Vote after roll call:

Yea—Langley, McPherson, Scott

**The President presiding**

**SB 723**—A bill to be entitled An act relating to administrative procedures; amending s. 120.53, F.S., deleting the requirement that agency rules include a list of forms; amending s. 120.54, F.S., clarifying language authorizing fact-finding hearings in certain cases; requiring the publication of the full text of emergency rules; defining "public hearing" for certain purposes; providing for the tolling of certain time limits under specified conditions; amending s. 120.55, F.S., setting out requirements relating to the incorporation of forms into rules; amending s. 120.57, F.S., authorizing the award of costs and attorney's fees to any prevailing party in appeals of formal administrative hearings; amending s. 120.59, F.S., requiring final orders resulting from recommended orders to be filed with the Division of Administrative Hearings of the Department of Administration within 15 days after filing with agency clerk; requiring all notices of orders or intent to issue orders to contain information relating to available appeals or hearings; amending s. 120.60, F.S., requiring that all parties be given certified, written notice by mail or hand delivery of action or intended action on license applications and specifying the content of such notices; amending s. 455.213, F.S., requiring the supplementation of certain license applications submitted to administrative agencies; amending ss. 455.225 and 490.009, F.S., correcting cross-references; providing an effective date.

—was read the second time by title.

Senator Langley moved the following amendments which were adopted:

**Amendment 1**—On page 2, strike all of lines 25-29 and insert:

Section 2. Paragraphs (b) and (c) of subsection (4), paragraph (a) of subsection (9), and paragraph (b) of subsection (11) of section 120.54, Florida Statutes, are amended to read:

120.54 Rulemaking; adoption procedures.—

(4)

(b) The request seeking a determination under this subsection shall be in writing and must be filed with the division within 14 days after the date of publication of the notice. It must state with particularity the provisions of the rule or economic impact statement alleged to be invalid with sufficient explanation of the facts or grounds for the alleged invalidity and facts sufficient to show that the person challenging the proposed rule would be substantially affected by it and facts sufficient to show the invalidity of the proposed rule.

**Amendment 2**—In title, on page 1, line 5, after "s. 120.54, F.S.," insert: requiring that the request for administrative determination of invalidity sufficiently explain facts or grounds for invalidity;

On motion by Senator Langley, by two-thirds vote SB 723 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Frank	Johnston	Rehm
Barron	Gersten	Malchon	Stuart
Beard	Girardeau	Mann	Thomas
Castor	Gordon	Margolis	Thurman
Childers, D.	Grant	McPherson	Vogt
Childers, W. D.	Grizzle	Meek	Weinstein
Deratany	Henderson	Myers	
Dunn	Hill	Neal	
Fox	Jennings	Plummer	

Nays—None

Vote after roll call:

Yea—Carlucci, Langley, Scott

**SB 609**—A bill to be entitled An act relating to road and bridge districts; amending s. 336.62, F.S.; prescribing the qualifying fee for candidates for election to the board of commissioners of such districts; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote SB 609 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Fox	Jenne	Neal
Barron	Frank	Jennings	Plummer
Beard	Gersten	Johnston	Rehm
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Deratany	Henderson	Meek	Weinstein
Dunn	Hill	Myers	

Nays—None

Vote after roll call:

Yea—Langley, Scott

**SB 837**—A bill to be entitled An act relating to airport licensing; revising, reviving, and readopting, notwithstanding the Regulatory Sunset Act, s. 330.30, F.S., relating to the licensing of airports by the Department of Transportation; amending ss. 330.27, 330.29, 330.31, 330.33, 330.35, 330.36, and 330.38, F.S.; providing definitions; providing powers, duties, and jurisdiction of the department; requiring site approvals and licenses; providing procedures and fees for licensing and renewal; providing for revocation of site approvals and licenses; providing exemptions; providing for joint hearings and reciprocal services; providing pen-

alties; providing for airport zoning and approach zone protection; removing certain notice requirement; prohibiting county or municipal licensing of airports; providing for future repeal and legislative review of s. 330.30, F.S.; repealing ss. 330.01, 330.05, 330.17, and 330.28, F.S., relating to definitions, penalties, imposition of registration or license fees by municipalities, and legislative intent; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote SB 837 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fox	Johnston	Plummer
Barron	Frank	Langley	Rehm
Beard	Girardeau	Malchon	Stuart
Carlucci	Gordon	Mann	Thurman
Castor	Grant	Margolis	Vogt
Childers, D.	Grizzle	McPherson	Weinstein
Childers, W. D.	Henderson	Meek	
Deratany	Hill	Myers	
Dunn	Jennings	Neal	

Nays—None

Vote after roll call:

Yea—Scott

**SB 619**—A bill to be entitled An act relating to recording conveyances of real property; amending s. 695.03, F.S.; providing that authentication or legalization by a civil law notary or notary public of a foreign country is sufficient as an acknowledgment; deleting the requirement that certain commissioners of deeds reside in foreign countries; amending ss. 695.04, 695.09, F.S.; providing certain exceptions for instruments authenticated or legalized; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil recommended the following amendments which were moved by Senator Dunn and adopted:

**Amendment 1**—On page 3, line 5, after the period (.) insert: *For purposes of this section, "civil law notary" shall mean an official of a foreign country having an official seal and authorized to make legal or lawful the execution of any document in that jurisdiction, wherein the affixing of his official seal shall be deemed proof of the execution of the document or deed in full compliance with the laws of that jurisdiction.*

**Amendment 2**—In title, on page 1, line 9, after "countries," insert: providing a definition of a civil law notary;

On motion by Senator Dunn, by two-thirds vote SB 619 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Barron	Gersten	Langley	Scott
Beard	Girardeau	Malchon	Stuart
Carlucci	Gordon	Mann	Thomas
Castor	Grant	Margolis	Thurman
Childers, D.	Grizzle	McPherson	Vogt
Childers, W. D.	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

**SB 743**—A bill to be entitled An act relating to motor vehicle sales warranties; amending s. 681.101, F.S., relating to legislative intent; amending s. 681.102, F.S., providing definitions with respect to the "Motor Vehicle Warranty Enforcement Act"; amending s. 681.104, F.S., requiring the manufacturer to provide the consumer with certain options with respect to motor vehicles which do not conform to applicable express warranties; providing that the decision of the informal dispute panel shall be admissible in evidence in actions brought by the consumer with respect to nonconformities; amending s. 681.108, F.S., providing that the informal dispute settlement panel shall submit a copy of each decision to the Division of Consumer Services within a specified time after the decision is rendered; providing an effective date.

—was read the second time by title.

Senator Frank moved the following amendment which failed:

**Amendment 1**—On page 6, between lines 17 and 18, insert:

Section 4. Section 681.105, Florida Statutes, is created to read:

681.105 Seller's disclosure of work on new motor vehicle.—The seller of a new motor vehicle, including any demonstrator or lease-purchase motor vehicle, shall, prior to delivery to the consumer, provide the consumer with a written statement of mechanical or cosmetic work performed on the vehicle by any person other than the manufacturer. Such statement need not mention any installation of options otherwise disclosed in writing to the consumer, routine tune-ups, or interior or exterior cleaning. If the dealer fails to make such disclosure, or if the cost of work disclosed exceeds \$100, the dealer shall give the purchaser the option of having the vehicle replaced with a comparable vehicle or having the purchase price, less standard depreciation, refunded.

(Renumber subsequent section.)

On motion by Senator Gordon, by two-thirds vote SB 743 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jenne	Myers
Barron	Frank	Jennings	Neal
Beard	Gersten	Johnston	Plummer
Carlucci	Girardeau	Langley	Rehm
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thurman
Crawford	Henderson	McPherson	Vogt
Deratany	Hill	Meek	Weinstein

Nays—None

**SB 561**—A bill to be entitled An act relating to telephone companies; amending s. 364.337, F.S.; adjusting the regulatory assessment fee for certain telephone companies; providing an effective date.

—was read the second time by title. On motion by Senator Stuart, by two-thirds vote SB 561 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Nays—None

**SB 474**—A bill to be entitled An act relating to Water Conservation Area designation; designating Water Conservation Area 3-B of the South Florida Water Management District as the Francis S. Taylor Conservation Area; providing an effective date.

—was read the second time by title.

Senator Hill moved the following amendments which were adopted:

**Amendment 1**—On page 1, strike all of lines 25-27 and insert:

Section 1. That portion of the Everglades Wildlife Management Area located within Water Conservation Area 3-B of the South Florida Water Management District is hereby designated the Francis S. Taylor Wildlife Management Area.

**Amendment 2**—In title, on page 1, strike all of lines 3-6 and insert: designation; designating certain parts of the Water Conservation Area 3-B of the South Florida Water Management District as the Francis S. Taylor Wildlife Management Area; providing an effective date.

On motion by Senator Hill, by two-thirds vote SB 474 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	
Fox	Jennings	Plummer	

Nays—None

On motions by Senator Grizzle, the rules were waived and by two-thirds vote HB 116 was withdrawn from the Committee on Judiciary-Civil.

On motion by Senator Grizzle—

**HB 116**—A bill to be entitled An act relating to limitations of actions; amending s. 95.11, F.S., relating to a limitation on actions caused by contact with or exposure to phenoxy herbicides by civilians or servicemen during the Vietnam hostilities; reviving such actions previously barred; providing an effective date.

—a companion measure, was substituted for SB 451 and read the second time by title. On motion by Senator Grizzle, by two-thirds vote HB 116 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dunn	Jenne	Neal
Barron	Fox	Jennings	Plummer
Beard	Frank	Johnston	Rehm
Carlucci	Gersten	Langley	Scott
Castor	Girardeau	Malchon	Stuart
Childers, D.	Gordon	Mann	Thomas
Childers, W. D.	Grant	Margolis	Thurman
Crawford	Grizzle	McPherson	Vogt
Deratany	Hill	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Myers

SB 451 was laid on the table.

**SR 358**—A resolution commending Brother William Geenen for his work with the elderly in Sarasota County, Florida.

—was read the second time in full. On motion by Senator Henderson, SR 358 was adopted. The vote on adoption was:

Yeas—36

Mr. President	Dunn	Hill	Neal
Barron	Fox	Jennings	Plummer
Beard	Frank	Johnston	Rehm
Carlucci	Gersten	Malchon	Scott
Castor	Girardeau	Mann	Stuart
Childers, D.	Gordon	Margolis	Thomas
Childers, W. D.	Grant	McPherson	Thurman
Crawford	Grizzle	Meek	Vogt
Deratany	Henderson	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Langley

On motions by Senator Vogt, the rules were waived and by two-thirds vote CS for HB 447 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Vogt—

**CS for HB 447**—A bill to be entitled An act relating to building construction standards; amending s. 553.79, F.S., relating to the issuance of building permits for threshold buildings and the responsibility of the contractor with respect thereto; providing an effective date.

—a companion measure, was substituted for SB 467 and read the second time by title.

Senator Vogt moved the following amendments which were adopted:

**Amendment 1**—On page 1, line 17, after “contractor” insert: , within the scope of his license,

**Amendment 2**—On page 1, line 11, insert:

Section 1. Subsection (6) of section 553.71, Florida Statutes, is amended, and subsection (7) is added, to read:

553.71 Definitions.—As used in this part:

(6) “Threshold building” means any building or structure which has a total floor area exceeding 25,000 square feet, which is greater than 2 3 stories or 35 50 feet in height, or which has an assembly occupancy classification that exceeds 5000 square feet in area and an occupant content of greater than 500 persons greater than 5,000 square feet, or which is of unusual design or construction as determined by the building official, except residential structures 2 stories or less in height and any building defined in s. 481.203(7) or s. 481.220.

(7) “Enforcement agency” means the agency of government with authority to make inspections of buildings and to enforce the codes which establish standards for construction, alteration, repair, or demolition of buildings.

(Renumber subsequent section.)

**Amendment 3**—In title, on page 1, line 3, strike “amending s. 553.79, F.S.,” after “standards;” and insert: amending ss. 553.71 and 553.79, F.S.; providing definitions;

On motion by Senator Vogt, by two-thirds vote CS for HB 447 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Stuart
Carlucci	Girardeau	Malchon	Thomas
Castor	Gordon	Mann	Thurman
Childers, D.	Grant	Margolis	Vogt
Childers, W. D.	Grizzle	McPherson	Weinstein
Crawford	Henderson	Meek	
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Nays—None

SB 467 was laid on the table.

Vote after roll call:

Yea—Scott

**SB 299**—A bill to be entitled An act relating to secured transactions; amending s. 679.301, F.S.; extending the time period for a secured party to file under the Uniform Commercial Code with respect to purchase money security interests; amending s. 679.312, F.S.; extending the period of time during which a purchase money security interest with respect to the Uniform Commercial Code may be perfected under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Commerce recommended the following amendment which was moved by Senator Thurman and adopted:

**Amendment 1**—In title, on page 1, lines 3 and 7, after “extending” insert: to 15 days

On motion by Senator Thurman, by two-thirds vote SB 299 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Henderson	Meek	Weinstein
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Nays—None

On motion by Senator Thurman, the rules were waived and SB 299 after being engrossed was ordered immediately certified to the House.

**SB 325**—A bill to be entitled An act relating to retirement; amending s. 112.64, F.S.; providing for changes in the amortization schedule for unfunded liability of governmental retirement systems; amending s. 121.021, F.S.; revising the definition of "member" in the Florida Retirement System to reflect classes of membership; amending s. 121.0515, F.S.; revising the criteria for certifying law enforcement and correctional officers eligible for special risk membership; amending s. 121.052, F.S.; updating membership requirements for legislators in the Elected State Officers' Class; providing an effective date.

—was read the second time by title. On motion by Senator Jennings, by two-thirds vote SB 325 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jenne	Myers
Barron	Frank	Jennings	Neal
Beard	Gersten	Johnston	Plummer
Castor	Girardeau	Langley	Rehm
Childers, D.	Gordon	Malchon	Stuart
Childers, W. D.	Grant	Mann	Thomas
Crawford	Grizzle	Margolis	Thurman
Deratany	Henderson	McPherson	Vogt
Dunn	Hill	Meek	Weinstein

Nays—None

**CS for SB 91**—A bill to be entitled An act relating to water and sewer utilities; creating ss. 125.0108, 166.045, 190.0215, F.S.; requiring a public hearing and evaluation according to certain criteria before purchase or sale of a water or sewer utility by a county, municipality, special district, or community development district; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote CS for SB 91 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dunn	Jenne	Myers
Barron	Fox	Jennings	Neal
Beard	Frank	Johnston	Plummer
Carlucci	Gersten	Langley	Rehm
Castor	Girardeau	Malchon	Stuart
Childers, D.	Grant	Mann	Thomas
Childers, W. D.	Grizzle	Margolis	Thurman
Crawford	Henderson	McPherson	Vogt
Deratany	Hill	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Scott

On motions by Senator Henderson, the rules were waived and by two-thirds vote HB 213 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Henderson—

**HB 213**—A bill to be entitled An act relating to state property; amending s. 287.025, F.S.; allowing insurance for loss of rental income on buildings when otherwise authorized by law; authorizing excess insurance

to cover loss for physical damage on certain properties when the aggregate exposure or actual cash value exceeds a specified amount; providing an effective date.

—a companion measure, was substituted for SB 115 and read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 213 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dunn	Jenne	Neal
Barron	Fox	Jennings	Plummer
Beard	Frank	Johnston	Rehm
Carlucci	Gersten	Langley	Scott
Castor	Girardeau	Mann	Stuart
Childers, D.	Grant	Margolis	Thomas
Childers, W. D.	Grizzle	McPherson	Thurman
Crawford	Henderson	Meek	Vogt
Deratany	Hill	Myers	Weinstein

Nays—None

SB 115 was laid on the table.

On motions by Senator Barron, the rules were waived and by two-thirds vote Senate Bills 787, 468 and 15 were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Barron, the rules were waived and by two-thirds vote SB 258 was withdrawn from the Committee on Commerce.

**CS for CS for SB's 140 and 237**—A bill to be entitled An act relating to trials; amending s. 918.17, F.S.; expanding the applicability of provisions authorizing the videotaping of the testimony of certain minors; authorizing the Supreme Court to adopt rules; providing an effective date.

—was read the second time by title. On motion by Senator Crawford, by two-thirds vote CS for CS for SB's 140 and 237 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fox	Jennings	Plummer
Barron	Frank	Johnston	Rehm
Beard	Gersten	Langley	Scott
Carlucci	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Vogt
Childers, W. D.	Grizzle	McPherson	Weinstein
Crawford	Henderson	Meek	
Deratany	Hill	Myers	
Dunn	Jenne	Neal	

Nays—None

On motion by Senator Plummer—

**HB 75**—A bill to be entitled An act relating to crimes; creating s. 784.08, F.S., providing separate criminal penalties for injuries resulting from arson or the unlawful discharge of a destructive device or bomb; providing an effective date.

—a companion measure was substituted for SB 127 and read the second time by title. On motion by Senator Plummer, by two-thirds vote HB 75 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jennings	Neal
Barron	Frank	Johnston	Plummer
Beard	Gersten	Langley	Rehm
Carlucci	Girardeau	Malchon	Scott
Castor	Gordon	Mann	Stuart
Childers, D.	Grant	Margolis	Thomas
Crawford	Grizzle	McPherson	Thurman
Deratany	Henderson	Meek	Vogt
Dunn	Jenne	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Hill



SB 127 was laid on the table.

On motion by Senator Neal, by two-thirds vote SB 306 was removed from the calendar and recommitted to the Committee on Natural Resources and Conservation.

On motion by Senator Grizzle, the rules were waived by unanimous consent and the Senate reverted to Introduction and Reference of Bills for the purpose of introducing the following resolution out of order:

#### INTRODUCTION AND REFERENCE OF BILLS

By Senators Grizzle, Malchon and Rehm—

**SR 1106**—A resolution commending the St. Petersburg Junior College Brain Bowl Team for their accomplishments in winning the 1983-84 statewide Brain Bowl Championship.

—which was read the first time by title. On motion by Senator Grizzle, SR 1106 was read the second time in full and adopted. The vote on adoption was:

Yeas—38

Mr. President	Beard	Castor	Childers, W. D.
Barron	Carlucci	Childers, D.	Crawford

Deratany  
Dunn  
Fox  
Frank  
Gersten  
Girardeau  
Gordon  
Grant

Grizzle  
Henderson  
Hill  
Jenne  
Jennings  
Johnston  
Langley  
Malchon

Mann  
Margolis  
McPherson  
Meek  
Myers  
Neal  
Plummer  
Rehm

Scott  
Stuart  
Thomas  
Thurman  
Vogt  
Weinstein

Nays—None

#### CORRECTION AND APPROVAL OF JOURNAL

The Journals of April 24, 20 and 18 were corrected and approved.

#### CO-INTRODUCERS

Senator Girardeau—SB 293; Senators Gersten, Neal, and Fox—SB 333; Senator Meek—SB 459; Senators Meek, Frank and Margolis—SB 550; Senators D. Childers and Stuart—SB 754

#### ADJOURNMENT

Senator Barron moved that the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Tuesday, May 1 at 10:00 a.m. The motion was adopted.

Pursuant to the motion by Senator Barron, the Senate recessed at 12:00 noon to reconvene at 10:00 a.m., Tuesday, May 1.